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IN THE UNITED STATES DISTRICT COURT

AUG 02 2013

FOR THE DISTRICT OF ALASKA

CLERK, U.S. DISTRICT COURT
FAIRBANKS, AK

APPLICATION OF THE UNITED)
STATES OF AMERICA FOR AN)
ORDER AUTHORIZING THE)
INSTALLATION AND MONITORING)
OF AN ELECTRONIC ALERTING)
DEVICE AND TRACKING DEVICE)
AS A PHYSICAL)
SURVEILLANCE AID IN EXPRESS)
MAIL EK 091590035 US)

MAGISTRATE NO. 4:13-mj-00037-SAO

APPLICATION AND AFFIDAVIT

I, Justin M. Page, United States Postal Inspector, being duly sworn, hereby affirm the following facts as being true to the best of my knowledge, information, and belief:

1. I am a United States Postal Inspector, assigned to investigate the unlawful transportation of contraband, including Title 21 controlled substances, through the United States Mail. I have been a Postal Inspector since July 2012. As part of my duties, I investigate incidents where the United States mail system is used for the purpose of transporting non-mailable matter, including controlled substances such as marijuana, cocaine, methamphetamine and heroin, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and substances mailed in violation of Title 18, United States Code, Section 1716.
2. In this warrant application, I request, pursuant to 18 U.S.C. Sections 3117(a) an order for the installation and monitoring of an electronic alerting device and a tracking device in Express Mail parcel EK 091590035 US (hereinafter referred to as the subject parcel)

addressed to "3570 Erin drive, Nort Pole, AK 99705, Jason Heim", from "125 W. Olive drive Apt "A," San Ysidro, Paul Velazquez." A photocopy of the label of the subject parcel is attached as **Exhibit 1**. The subject parcel weighs approximately 12 ounces, and is described as a yellow "Scotch" bubble mailer, measuring approximately 11 x 9 x 2 inches, bearing hand written sender and addressee information. The subject parcel is affixed with a Postal Validation Imprinter (PVI) sticker in the amount of \$35.90, and was mailed on July 31, 2013 from 91932.

3. Agents plan to remove the controlled substances and replace them with "sham" narcotics and a representative sample of the controlled substance. By this application, I request authorization to insert an electronic monitoring device into the package. The electronic monitoring device will assist law enforcement to determine when the suspect(s) examine or remove the placed sham controlled substance. After the electronic alerting device goes into "alert" mode indicating the subject parcel was opened, United States Postal Inspectors and other law enforcement officials plan to secure the location, retrieve the electronic alerting device, the subject parcel, representative sample, "sham" narcotics, all other contents of the subject parcel, and submit any necessary further applications for search warrants.
4. By this application, I request authorization to insert a tracking device into the package. Based on my training and experience, I know that controlled substance traffickers will often use a mailing address as a "drop address." At a "drop address", the person accepting the parcel at the delivery address will either open it there or move it to another place to open it or deliver it to another person who may or may not be the actual intended recipient.

The movement of the parcel from the delivery address to another place is often done intentionally to avoid detection or apprehension by law enforcement. The tracking device will assist law enforcement to conduct surveillance of the parcel in the event that the parcel is moved from the delivery address to a different location or its final destination.

5. Based on my training and experience, and conversations with other law enforcement officers, I know that evidence of controlled substance trafficking besides the parcel is often at the final destination and that such evidence is subject to immediate destruction if law enforcement presence is discovered by the recipient after opening the controlled parcel.

RELEVANT FACTS PERTAINING TO THE SUBJECT PARCEL

6. On August 1, 2013, the subject parcel was identified by a Postal Inspector during an interdiction. The subject parcel is Express Mail parcel EK 091590035 US addressed to "3570 Erin drive, Nort pole, AK 99705, Jason Heim", from "125 W Olive drive Apt "A", San Ysidro, Paul Velazquez."
7. On August 1, 2013, at approximately 4:00 PM, federal search warrant 4-13-MJ-00035-SAO was applied for and granted by United States Magistrate Judge Scott A. Oravec for Express Mail EK 091590035 US.
8. On August 1, 2013, at approximately 4:00 PM, federal search warrant 4-13-MJ-00035-SAO was executed on Express Mail Parcel EK 091590035 US. The subject parcel contained approximately 204 gross grams of a white crystal substance, which was inside three layers of Ziplock bags wrapped in a dryer sheet and several layers of plastic tape, which was inside carbon paper inside a yellow "Scotch" bubble mailer envelope. A NIK field test was

performed on the white crystal substance resulting in a positive reaction for methamphetamine.

9. Based on these facts, I request an order for the installation and monitoring of electronic alerting device and tracking device in the subject parcel for three (3) days, to aid the officers in detecting when the suspect(s) open the subject parcel to examine or remove the placed sham controlled substance and to track the subject parcel if they are moved from the delivery address to a different location. In addition, I request that the Order allow officers to monitor the electronic alerting device and tracking device on either public or private property, including the location of initial delivery and any other property to which the subject parcel is transported. After the electronic alerting device goes into "alert" mode, indicating that the subject parcel was opened, or if it is determined that the alerting device or tracking device are malfunctioning, or if the alerting device does not go into "alert" mode within at least two (2) hours after delivery and the subject parcel has remained at the same location during those two (2) hours, United States Postal Inspectors and other law enforcement officials seek authorization to retrieve the subject parcel, whether on private or public property.

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United States Postal Inspectors and other law enforcement officials will only use a properly functioning electronic alerting device and tracking device. However, should the device malfunction, agents request authority to enter a private dwelling to retrieve the package. If necessary, law enforcement officers then plan to secure the location and submit any necessary further applications.


Recacted Signature

Justin M. Page
Postal Inspector

Subscribed and sworn to before me on this 2nd day of August, 2013.

Redacted Signature

Honorable Scott A. Gravec
United States Magistrate Judge
United States District Court
District of Alaska

